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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

DANNY WARNECKEDAVIS,

Defendant and Appellant.

D064686

(Super. Ct. Nos. SCD240587,  
SCD243045)

APPEAL from a judgment of the Superior Court of San Diego County, Eugenia A. Eyherabide, Judge. Affirmed.

Patrick J. Hennessey, Jr., under appointment by the Court of Appeal, for  
Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Danny Warnekedavis was charged in San Diego County case No. SCD240587 (SCD240587) with commercial burglary (Pen. Code, § 459) and petty theft with three priors (§§ 484/490.5), with an allegation that he had served a prior prison term (§ 667.5,

subd. (b)). The parties entered into a plea bargain pursuant to which Warnekedavis pleaded to petty theft with a prior conviction, along with admitting the prison prior, with the further agreement the other charges and allegations would be dismissed and he would receive a local term as a condition of probation and receive credit for time served.

Warnekedavis was subsequently charged with numerous counts in a new case, San Diego County case No. SCD243045, which included one count of stalking in violation of a court order (§ 646.9, subd. (b)), two counts of making criminal threats (§ 422), two counts of assault with a deadly weapon (§ 245, subd. (a)(1)), disobeying a domestic violence order (§ 273.6, subd. (a)), kidnapping (§ 207, subd. (a)), dissuading a witness (§ 136.1, subd. (b)(1)), vandalism (§ 594, subds. (a), (b)(2)(A)), receiving stolen property (§ 496, subd. (a)), and battery (§ 243, subd. (e)(1)). The complaint also alleged he had served a prior prison term (§ 667.5, subd. (b)). The parties entered into a plea bargain pursuant to which Warnekedavis pleaded guilty to stalking in violation of a court order and one count of assault with a deadly weapon, and admitted an enhancing allegation, with the further agreement that the total sentence in SCD243045 and SCD240587 would not exceed a combined term of five years eight months.

In July 2013 Warnekedavis was sentenced in both cases. In case No. SCD243045, he was sentenced to a total term of four years, together with various fines, and was given specified custody credits. In case No. SCD240587, he was sentenced to a total term of one year eight months, to run consecutive to the term imposed in case No. SCD243045 for a total term of five years eight months; the court also imposed various fines and fees

and gave him specified custody credits. Warnekedavis subsequently filed a notice of appeal. We affirm the judgment.

### FACTS

In case No. SCD240587, Warnekedavis took \$54 worth of items from a CVS Store, and he admitted serving a prior prison term. In case No. SCD243045, Warnekedavis on two occasions unlawfully, willfully and maliciously harassed the victim and made credible threats to her in violation of a court restraining order in effect at the time, and on a different occasion committed an assault on the victim while personally using a deadly weapon.

### DISCUSSION

Appointed appellate counsel has filed a brief summarizing the proceedings below. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738. Counsel has not identified any possible or arguable issue.

We granted Warnekedavis permission to file a supplemental brief on his own behalf, but he has not responded. A review of the record pursuant to *People v. Wende*, *supra*, 25 Cal.3d 436 and *Anders v. California*, *supra*, 386 U.S. 738 has disclosed no reasonably arguable appellate issues. Warnekedavis has been competently represented by counsel on this appeal.

DISPOSITION

The judgment is affirmed.

McDONALD, J.

WE CONCUR:

BENKE, Acting P. J.

IRION, J.